

OGC Has Reviewed

17 March 1949

MEMORANDUM FOR THE FILES

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1. A meeting was held between [REDACTED] Chief Graphics Register, OCD, [REDACTED] and another member of his staff regarding the copyright problems in the Registry.

2. It was explained to them that in effect what was being done was a violation of the law, that several remedies had been considered, and that none had as yet proved to be satisfactory, and that his problem had now become part of an over-all copyright problem which affected other branches of the Agency as well.

3. Several problems were raised in the course of discussion, of which the following are the most salient:

a. Can a release form be developed to be used with those contacts who are willing to allow CIA to utilize their photographic material, either in connection with blanket permission or specific permission in each instance?

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b. Can a release form be developed for certain contacts such as [REDACTED], or the newsreel companies, which will allow us to take any of their pictures for intelligence purposes on a regular basis? This problem is complicated to a certain degree by the fact that after the photographs have been delivered to Government intelligence agencies by us, they may subsequently, after a period of years, be declassified and released to the press with accompanying release of the graphic material through no fault of our own.

c. Can CIA use appropriated funds to strike off prints of graphic material for the owner of such material? Very often the only quid pro quo desired by an owner from CIA is the receipt from CIA of a copy or a few copies of the prints which we make from his negative.

d. What notice can be appended to the material disseminated by the Registry to indicate that it is for official use only in intelligence publications?

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e. What steps can be taken to protect individual employees of the Registry who disseminate this material according to official instructions, and who are subsequently individually sued by the copyright owner for infringement of copyright?

f. Would it be possible to work out some system of indemnity insurance for infringement?

g. What notices should be appended to the disseminated material as to copyright ownership, and would the additional costs in material and time to append such notices be commensurate with the protection secured?

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